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Division of Consumer Affairs
New Jersey Board of Massage and Bodywork Therapy
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NEW JERSEY STATE BOARD OF MASSAGE AND BODYWORK THERAPY PUBLIC SESSION MINUTES June 25, 2014

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A regular meeting of the New Jersey State Board of Massage and Bodywork Therapy was held at 124 Halsey Street Newark, New Jersey, in the Sussex Conference Room, 6th Floor, on Wednesday June 25, 2014. The meeting was convened in accordance with the provisions of the Open Public Meetings Act. **Cynthia Sinicropi-Philibosian, Chairperson of the Board** called the meeting to order at 9:40 A.M. and a roll call was taken and the following attendance was recorded:

MARK J. CARANGELO	Present
CYNTHIA SINICROPI-PHILIBOSIAN	Present
CHRISTINE GILL ROSE	Present
DEBORAH OVERHOLT	Excused
DEBORAH ZASTOCKI	Excused

Also present were: Susan Carboni, Deputy Attorney General; Laura L. Anderson, Executive Director; Gerard Tobia, Administrative Staff.

OPENING STATEMENT "Reading of the Sunshine Law" **A QUORUM WAS DECLARED PRESENT:**

In accordance with Chapter 231 of P.L. 1975, more commonly referred to as the Sunshine Law, adequate notice of this meeting was provided by mailing on September 27, 2013. A schedule of all 2014 Regular Open Meetings of the Board of Massage and Bodywork Therapy to be held during 2014 was provided to the Office of the Secretary of State, Star Ledger, Trenton-Times, The New York Times, Camden Courier Post, The Press of Atlantic City and The Philadelphia Inquirer. The schedule has also been posted on the bulletin at the New Jersey State Board of Massage and Bodywork Therapy Office.

PUBLIC COMMENTS: Lori Keith, Government Relations, for the New Jersey Chapter/AMTA addressed the Board regarding the Association services and requested copies of the agenda available for the public attending the meeting. Nicole Cole, Attorney from the Princeton Public Affairs Group and a representative of Retain Lobbyist for AMTA addressed the Board to introduce herself.

I. APPROVAL OF THE PUBLIC SESSION MINUTES

A. April 23, 2014

A motion was made by Mark Carangelo and seconded by Christine Gill Rose, the Board voted to accept the minutes of the April 23, 2014 Board Meeting as amended.

A vote was taken and the motion carried by a unanimous vote.

II. NEW BUSINESS

A. Dana Roussell (Applicant ID# 1800042)
RE: Application for Licensure

Ms. Roussell wrote the Board indicating that she has tried several times and made several phone calls to obtain her school transcripts. She attended Time-Out Massage and Ocean Massage Institute which has been closed for 15 years. Ms. Roussell has been doing massage full time for 20 years working 20-35 hours a week. She owns Body Basics Massage Therapy and Training Center, Inc since 1994 and Body Basics by Dana LLC, since 2013. Ms. Roussell believes that she qualifies for licensure in New Jersey due to her extensive experience.

A motion was made by Mark Carangelo and seconded by Christine Gill Rose, the Board decided to deny licensure to Ms. Roussell pursuant to N.J.A.C. 13:37A-2.1. A vote was taken and the motion carried by a unanimous vote.

B. Federation of State Massage Therapy Boards (FSMTB)
RE: Notification

This is a disciplinary matter to be discussed in Executive Session.

C. Education Review
RE: IGM (Isabell Gatto Method) Therapeutic Acupressure

The Board reviewed a letter from Isabell Gatto, Founder (IGM) Isabell Gatto Method Therapeutic Acupressure on behalf of Ms. Gina Jaye. Ms. Jaye has completed extensive training with IGM and was able to graduate as a IGM Therapeutic Acupressure certified practitioner. Ms. Jaye attended over 83 hours of hands-on and written training at IGM. IGM Therapeutic Acupressure is a multi-conceptual combination of five eastern meridian-based point therapy techniques: Acupressure, Shiatsu, AMMA, Reflexology and Jin Shin Jyutsu, along with the components of therapeutic touch, color and music therapy.

A motion was made by Mark Carangelo and seconded by Christine Gill Rose, the Board decided to deny licensure to Ms. Jaye pursuant to N.J.A.C. 13:37A-2.1 and a letter be sent to Ms. Gatto by Laura L. Anderson, Executive Director, to advise in writing that she must stop using the word Acupressure pursuant to N.J.A.C. 13:37A-3.3, Designations for Licensed Persons, Prohibitions on Unlicensed Persons. A vote was taken and the motion carried by a unanimous vote.

D. Board Discussion
Transcripts Approval
RE: Revoked Schools

The Board had a discussion regarding school transcripts. Board Members have volunteered to assist Board staff with the review of transcripts received during the application process to ensure that all the content areas are in accordance with the New Jersey State Board of Massage and Bodywork Therapy's statutes and regulations. Applicants will be notified if their school transcript does not meet the requirements for licensure per hours instead of credits.

A motion was made by Christine Gill Rose and seconded by Mark Carangelo, the Board voted to re-affirm its decision to have the applicant provide evidence that the school is approved and/or accredited by their State Department of Education. A vote was taken and the motion carried by a unanimous vote.

E. Diane Schiabor (Applicant ID# 1802967)
RE: Application for Licensure

Ms. Schiabor has submitted an application for licensure by Education. She attended The Morris Institute of Natural Therapeutics which closed in 1986. Ms. Schiabor has provided an email from the Department of Labor and Workforce Development stating that The Morris Institute of Natural Therapeutics was a approved private school. In addition Ms. Schiabor has taken classes in Anatomy and Physiology 101 , Anatomy and Physiology 102 and eight (8) credits that apply to her profession at Ocean County College. Ms. Schiabor believes that The Morris Institute of Natural Therapeutics and Ocean County College will satisfy the licensing requirement for the State of New Jersey.

A motion was made by Mark Carangelo and seconded by Christine Gill Rose, the Board determined to deny licensure to Ms. Schiabor pursuant to N.J.A.C. 13:37A-2.1 , however, the Board may reconsider her application as soon as she submit evidence of taken and successfully passing the exam offered by the FSMTB; NCMTMB; or NCCAOM. A vote was taken and the motion carried by a unanimous vote.

F. Letter from Regina Fulmore (License No. 18KT00136100)
RE: Reactivation Application

Ms. Fulmore wrote the Board to ask if it would be possible to complete her continuing education units online due to her extenuating circumstances. For the last four years (2009 to late 2013) she has been unemployed. Ms. Fulmore has taken a role of caregiver for her mother through cancer and now dementia. She is finally working part-time and feels she could manage the online courses due to her limited income.

Before considering this case, A motion was made by Mark Carangelo and seconded by Christine Gill Rose, the Board decided to have Ms. Fulmore provide in writing medical documentation to support her request and return her reactivation application to have her complete the application in its entirety. A vote was taken and the motion carried by a unanimous vote.

- G. Pursuant to **N.J.A.C. 13:37A-4.1** Continuing Education Board to review continuing education courses regarding a licensee's personal care, such as yoga or Tai Chi should not count towards continuing education requirements

31. COMMENT: A commenter contends that continuing education courses regarding a licensee's personal care, such as yoga or Tai Chi, should count towards continuing education requirements. The commenter contends that the National Certification Board for Therapeutic Massage and Bodywork (NCBTMB) recognizes such courses.

RESPONSE: The Board agrees that some aspects of personal care, such as yoga or Tai Chi, may be appropriate topics for continuing education courses and will propose to add these aspects in a future rulemaking.

The Board could not come to a vote regarding the proposal to add some aspects of personal care, such as yoga or Tai Chi, that may be appropriate topics for continuing education courses. Mark Carangelo and Cynthia Sinicropi-Philibosian oppose this proposal. Christine Gill Rose supports this proposal. The Board decided to table this matter until after the renewal period which ends November 30, 2014.

- H. Board Members Resignation
- Deborah Overholt
- Deborah K. Zastocki, ONP, RN

The Board reviewed letters of resignation from Deborah Overholt and Deborah K. Zastocki, ONP, RN.

The Board accepted Ms. Overholt and Ms. Zastocki's resignation and directed that Laura L. Anderson, Executive Director, prepare a letter of appreciation to Ms. Overholt and Ms. Zastocki for their participation, hard work, dedication and valuable input they provided during their time as a member and chairperson of the Board.

- I. The Arzeno Institute, Inc. (Applicant ID# 1774689)
RE: Application for Licensure

Mr. Arzeno wrote the Board stating that he has completed the application process and would like clarification in reference to his unique situation and the New Massage and Bodywork Therapist Licensing Act. He has been providing a natural hands-on application, exclusively for the cosmetic improvement of cellulite for women since 1994. His cosmetic cellulite treatment is unique to his business and is a treatment that he developed. They are trademarked as "Body sculpting services for reduction and appearance enhancement". Along with the weight loss program he provides, The Arzeno Method is the main aspect of his business.

A motion was made by Mark Carangelo and seconded by Christine Gill Rose, the Board voted to advise Mr. Arzeno in writing that the Board of Massage and Bodywork Therapy understands that there is confusion regarding the forms of structured touch that are subject to the requirement to obtain a license, specifically with regards to forms of therapy that focus on the energetic system of the body. The Board wishes to clarify that any therapy that involves touching a client and which affects the soft tissues of the body (defined as "muscle, fat, fibrous tissue, blood vessels or other supporting tissue of the body" by the National Institutes of Health is considered "massage and bodywork therapies." A person who provides an "energy therapy" that involves touching a client in any way is engaged in massage and bodywork therapy and must obtain a license from the Board.

A vote was taken and the motion carried by a unanimous vote.

III. OLD BUSINESS

- A. Response from Warren County Community College
RE: Kathleen Vintaloro, LMT (License No. 18KT00410500)
- Continuing Education

Ms. Vintaloro wrote the Board to ask if she is still required to take a two (2) hour ethics class to fulfill the New Jersey licensing requirement. Ms. Vintaloro teaches a twelve (12) hour ethics class every year at Warren County Community College. She states that NCBTMB allows for her teaching hours upon her renewal with them every four (4) years. The Board requested that Ms. Vintaloro provide details on the classes she is teaching to be considered as part of continuing education. The Board reviewed the response from Warren County Community College on behalf of Kathleen Vintaloro, LMT.

A motion was made by Mark Carangelo and seconded by Christine Gill Rose, the Board voted to advise Ms. Vintaloro in writing that pursuant to N.J.A.C. 13:37A-4.2 (3) Teaching a new continuing education program related to massage and bodywork therapy that is approved pursuant to N.J.A.C. 13:37A-4.2 (1) or (2). As used in this paragraph, “new” means that the licensee has never taught or developed curriculum for that course or program in any educational setting; one credit hour for each hour taught. A vote was taken and the motion carried by a unanimous vote.

IV. INFORMATIONAL MATERIAL

1. Roxanne Martin; Applicant ID#1769945
Consent Order Granting Licensure filed April 23, 2014
2. Michele Walsh; Applicant ID# 1697578
Consent Order Granting Licensure filed April 23, 2014
3. Zizhao Ruan; Applicant ID# 1775697
Consent Order Granting Licensure filed April 23, 2014
4. Crystal L. Agnew; Applicant ID# 1770267
Consent Order Granting Licensure filed April 23, 2014
5. Lucretia Santoro; Applicant ID# 1764741
Consent Order Granting Licensure filed April 23, 2014
6. Hong J. Leng; Applicant ID# 1743179
Provisional Order of Denial of Licensure filed April 23, 2014

The Board reviewed the above six (6) Consent Orders (above) and considered this an informational material.

V. FINALIZATION OF ORDERS

1. Roma C. Hough; Applicant ID# 1701511
Provisional Order of Denial of Licensure filed April 23, 2014

This matter was tabled until the July 23, 2014 Board Meeting.

2. Lanying Wang; Applicant ID# 1771823
Provisional Order of Denial of Licensure filed April 23, 2014

D.A.G. Carboni informed the Board that service was made. The Certified Mailing was unclaimed and the regular mail wasn't returned. A motion was made by Mark Carangelo and seconded by Christine Gill Rose, the Board voted to affirm and finalize the Provisional Order of Denial of Licensure by default with no modifications. A vote was taken and the motion carried by a unanimous vote.

VI. PROVISIONAL ORDER OF DENIAL OF LICENSURE (With Response)

1. Lin Wang; Applicant ID# 1760891
Provisional Order of Denial of Licensure filed March 26, 2014

Deputy Attorney General Barbara Lopez counseled the Board on this matter. A motion was made by Mark Carangelo and seconded by Christine Gill Rose, the Board voted to affirm and finalize the Provisional Order of Denial of Licensure for two (2) years with no modifications. A vote was taken and the motion carried by a unanimous vote.

2. Frank J. DiAmore; Applicant ID# 1767791
Provisional Order of Denial of Licensure filed April 23, 2014

Deputy Attorney General Barbara Lopez counseled the Board on this matter. A motion was made by Mark Carangelo and seconded by Christine Gill Rose, the Board voted to affirm and finalize the Provisional Order of Denial of Licensure along with a \$100.00 civil penalty for misrepresentation on the application with no modifications. A vote was taken and the motion carried by a unanimous vote.

VII. INTERIM ORDER OF SURRENDER OF LICENSE

1. Felipe D. Cruz; License No. 18KT00075900
Interim Order of Surrender of License filed May 14, 2014
Gezim Bajrami - Deputy Attorney General

Deputy Attorney General Gezim Bajrami, counseled the Board on this matter. A motion was made by Mark Carangelo and seconded by Christine Gill Rose, the Board voted to affirm the decision of the Board Chairperson authorizing the Interim Order of Surrender of License to be Deemed a Revocation. A vote was taken and the motion carried by a unanimous vote.

At 11:30 A.M. , the Board, upon a motion made by Mark Carangelo and seconded by Christine Gill Rose, the Board voted to move into Executive Session to consider and review consumer complaints, investigative reports and other information received pursuant to the Boards' regulations. The result of these deliberations will be made known when and if the Board determines to initiate disciplinary or other enforcement action. If the Board determines to issue any sanction, action will be taken in public session immediately after the Executive Session. A vote was taken and the motion carried by a unanimous vote.

VIII. ADJOURNMENT

**The Board returned to Public Session and a motion was made by Mark Carangelo and seconded by Christine Gill Rose, to adjourn the meeting at 2:50 P.M.
A vote was taken and the motion carried by a unanimous vote.**

The meeting was adjourned at 2:50 P.M.

Respectfully submitted,

Laura L. Anderson,
Executive Director